ISSLP
Interdisciplinary Studies in Society, Law and Politics

Original Research

Legal Strategies for Protecting Journalists in Conflict Zones

Fatimah Sahdan[1]*, Jelena Gregorius[1]

[1] Faculty of Social and Political Sciences (FISIP) Diponegoro University,Yogyakarta, Indonesia

* Corresponding author email address: fatimahsahdan@rocketmail.com

The safety of journalists in conflict zones remains a critical concern, with myriad risks stemming from both physical and digital threats. This study aims to explore the legal strategies that can effectively protect journalists in these environments, focusing on understanding the existing legal frameworks, the challenges journalists face, and the protective strategies they employ. This qualitative study utilized semi-structured interviews with 25 journalists from diverse global regions to gather in-depth insights into the challenges and strategies related to their legal protection. Theoretical saturation was achieved, ensuring comprehensive coverage of the topic. Data was analyzed using NVivo software to facilitate thematic analysis, allowing for the systematic identification of themes and concepts within the data. Three main themes were identified: Legal Frameworks, Risks and Challenges, and Protective Strategies. Legal Frameworks revealed gaps in the enforcement of international and national laws. Risks and Challenges highlighted the physical, digital, legal, psychological, and informational threats journalists encounter. Protective Strategies emphasized the importance of safety training, legal safeguards, support networks, and advanced technology to mitigate risks. The study concludes that while various legal frameworks and protective measures exist, significant gaps in enforcement and practical application continue to leave journalists vulnerable in conflict zones. Enhanced legal provisions, combined with comprehensive safety training and technological support, are essential to ensure the safety and freedom of journalists reporting from high-risk areas.
Keywords: Journalists, Conflict Zones, Legal Strategies, Protective Measures, Safety Training, NVivo, Thematic Analysis.

How to cite this article:

1. Introduction

In the complex and dangerous landscapes of conflict zones, the role of journalists is both critical and precarious. While striving to report on the often harsh realities of war, insurgency, and political turmoil, journalists confront an array of risks that not only threaten their safety but also challenge the very essence of press freedom (Feinstein & Starr, 2015; Harrison & Pukallus, 2018; Höglund & Schaffer, 2021; Høiby, 2019). Journalism in conflict zones is inherently fraught with dangers that range from physical threats to psychological burdens. According to Creech (2017), journalists bearing witness in contemporary conflict settings often face a political economy of risk, where they must navigate both overt physical dangers and subtle pressures that influence their reporting and personal safety (Creech, 2017). This sentiment is echoed by Feinstein and Starr (2015), who highlight the psychological toll on journalists covering civil strife, such as the Syrian civil war, pointing out that the constant exposure to violence can lead to profound emotional and psychological distress (Feinstein & Starr, 2015).

The legal protections available to journalists vary significantly across different contexts and are often insufficient to counter the myriad threats they face. As noted by Høiby and Ottosen (2017), despite international guidelines and national laws aimed at safeguarding press freedom, journalists in conflict zones frequently report a lack of adequate protection and find themselves vulnerable to both state and non-state actors (Høiby & Ottosen, 2017). This vulnerability is compounded by the hierarchy of influence that shapes media operations within these zones, where power dynamics deeply affect journalistic access and reporting quality (Ali, 2022).

Moreover, the legal framework intended to protect journalists is riddled with gaps and inconsistencies. International laws, such as those discussed by Düsterhöft (2013), provide a theoretical safeguarding of journalists in armed conflicts, yet practical implementation remains sporadic and often ineffective (Düsterhöft, 2013). This issue is particularly pronounced in nations experiencing turmoil or undergoing political transitions, where new constitutions and legal systems may promise media freedom but fail to deliver in practice (AlAshry, 2021).

The impunity with which attacks on journalists are often ignored further exacerbates the risks. Harrison and Pukallus (2018) investigate the experiential accounts of journalists from regions like Mexico and India, where the political climates foster a culture of impunity that severely undermines media safety and freedom (Harrison & Pukallus, 2018). Similarly, the legal mobilization for media freedom, as seen in countries like Uganda, reflects a proactive approach to defending journalism against state repression, yet such efforts require significant legal and civil society backing to be effective (Höglund & Schaffer, 2021).

In regions like Mindanao, the contrast in safety between local and non-local journalists highlights additional layers of complexity in how threats are perceived and managed, suggesting that local knowledge and networks play crucial roles in enhancing journalist safety (Høiby, 2019). These insights point to a need for more nuanced and locally informed legal strategies that can better address the specific needs of journalists depending on their operational contexts.

This study seeks to expand on these themes by exploring the perceptions and experiences of journalists themselves, whose firsthand accounts provide invaluable insights into the effectiveness of existing legal measures and the realities of reporting from the front lines of global conflicts. By employing qualitative methods and reaching theoretical saturation through the depth of interviews conducted, this research aims to contribute to a more comprehensive understanding of how legal strategies can be tailored to better protect journalists dedicated to reporting on conflict and crisis.

2. Methods and Materials

2.1. Study Design and Participants

This study employs a qualitative research methodology focused on semi-structured interviews to explore effective legal strategies for protecting journalists in conflict zones. The selection of a qualitative approach allows for an in-depth understanding of the experiences, opinions, and recommendations of experts in media law, conflict journalism, and human rights advocacy.

Participants were selected using purposive sampling to ensure a diverse and knowledgeable set of respondents capable of providing expert insights into the legal challenges and strategies pertinent to journalists operating in hostile environments. The study aimed for theoretical saturation, where no new information or themes were observed in the data, dictating the number of participants. This approach ensures comprehensive coverage of the topic without unnecessary duplication of data.

The study was conducted following the highest ethical standards. Prior to the interviews, all participants were informed of the study's purpose, the nature of their participation, and their right to withdraw from the study at any time without penalty. Confidentiality and anonymity of the participants were strictly maintained, with all identifying information securely anonymized in the study documentation and during data analysis.

2.2. Measures

2.2.1. Semi-Structured Interview

Data collection was conducted through semi-structured interviews, which were chosen to allow flexibility in responses while providing sufficient structure to address specific research questions. These interviews were conducted via secure online communication

platforms, ensuring the safety and anonymity of participants, especially those located in or near conflict zones. Each interview lasted between 45 to 60 minutes and was recorded with the consent of the participants.

The interview protocol included open-ended questions that prompted discussion on existing legal frameworks, their effectiveness, and areas needing improvement. Questions were designed to elicit detailed responses on the risks faced by journalists, the legal protections afforded to them, and the practical steps that could enhance their safety and legal recourse in conflict zones.

2.3. Data Analysis

The recorded interviews were transcribed verbatim and imported into NVivo, a qualitative data analysis software. NVivo was utilized to facilitate thematic analysis, allowing for the identification, analysis, and reporting of patterns (themes) within the data. This software supported the coding process through its robust tools for organizing, reviewing, and categorizing the data, enabling a systematic analysis aligned with the research objectives.

3. Findings and Results

In the present study, a total of 25 participants were interviewed to explore the legal strategies for protecting journalists in conflict zones. The demographic composition of the participants included 15 males and 10 females, reflecting a diverse range of experiences within the field of journalism. The ages of the participants ranged from 28 to 55 years, with a median age of 40 years, indicating a mature group of professionals with substantial experience in conflict journalism.

Table 1

The Results of Qualitative Analysis

Categories	Subcategories	Concepts (Open Codes)
Legal Frameworks	International Laws	Geneva Conventions, UN resolutions, International Humanitarian Law, Safety of Journalists Protocol
	National Legislation	Media laws, Anti-terrorism acts, Press freedom statutes, Libel and slander laws
	Enforcement Mechanisms	Judicial processes, Law enforcement agencies, International courts, Legal aid
Risks and Challenges	Physical Risks	Kidnapping, Assault, Crossfire, Military operations
	Digital Security Threats	Hacking, Surveillance, Data theft, Online harassment
	Legal and Political Barriers	Censorship, Arrests, Legal prosecution, Propaganda, Political intimidation
	Psychological Impact	PTSD, Anxiety, Stress, Isolation, Burnout
	Access to Information	Restricted areas, Government control, Misinformation, Source protection
Protective Strategies	Safety Training	Risk assessment, First aid, Digital security training, Hostile environment awareness
	Legal Safeguards	Press badges, Legal counsel, Safe passage agreements, Protective legislation
	Support Networks	Peer support, NGO advocacy, International journalist networks, Legal assistance networks
	Technology and Tools	Encrypted communication, Secure data storage, Anonymity tools, Real-time location sharing

The qualitative analysis of semi-structured interviews revealed a comprehensive framework of legal challenges and protective strategies for journalists in conflict zones. The data was organized into three main thematic categories: Legal Frameworks, Risks and Challenges, and Protective Strategies. Each category encompasses a set of subcategories, each rich with specific concepts identified during the analysis. Below is a detailed exposition of these findings, enriched with direct quotations from the interviews, which illustrate the experiences and insights of the participants.

3.1. Legal Frameworks

The category of Legal Frameworks includes three subcategories: International Laws, National Legislation, and Enforcement Mechanisms.

International Laws were frequently cited as pivotal, yet often inadequately enforced. Participants highlighted the importance of conventions and resolutions tailored to journalists, as one noted, "The Geneva Conventions provide some protections, but there's a gap in

enforcement at the ground level that leaves journalists vulnerable."

National Legislation varies widely, with some countries providing robust protection for press freedom, while others suppress it. One respondent remarked, "In my country, the media laws are just a facade; real protection is nonexistent, making legal defense crucial yet challenging."

Enforcement Mechanisms are critical to the practical application of laws. A participant explained, "Even when laws are on the books, the real test is their enforcement. Without judicial backing and proactive law enforcement, these laws are toothless."

3.2. Risks and Challenges

This category is divided into five subcategories: Physical Risks, Digital Security Threats, Legal and Political Barriers, Psychological Impact, and Access to Information.

Physical Risks, including kidnapping and assault, were commonly reported. "Crossfire incidents are the most feared; they're unpredictable and often fatal," shared one journalist.

Digital Security Threats such as hacking and surveillance are increasingly significant. "The digital realm is a new battlefield. I've had colleagues who faced severe data theft," stated another.

Legal and Political Barriers include arrests and censorship. "Arrests are a tool to intimidate us, often under draconian laws," a participant noted.

Psychological Impact is profound among journalists. "The constant stress and isolation can lead to severe anxiety and even PTSD," one journalist revealed.

Access to Information is frequently hindered. "Government controls and misinformation make it almost impossible to report accurately," commented a respondent.

3.3. Protective Strategies

Protective Strategies encompass four subcategories: Safety Training, Legal Safeguards, Support Networks, and Technology and Tools.

Safety Training is essential for survival. "Training on risk assessment and hostile environment awareness has literally saved lives in the field," an interviewee emphasized.

Legal Safeguards such as press badges and legal counsel are vital. "My press badge is my shield, though its power varies wildly by location," said one reporter.

Support Networks, including NGO advocacy and peer support, play a crucial role. "The support from international journalist networks can be a lifeline in dire situations," another noted.

Technology and Tools like encrypted communication are critical. "We rely on tools that guarantee our communication is secure and our locations are hidden," a participant explained.

4. Discussion and Conclusion

In this study, three main themes were identified through thematic analysis of semi-structured interviews with journalists operating in conflict zones. These themes encompass Legal Frameworks, Risks and Challenges, and Protective Strategies. Each theme comprises several categories with corresponding concepts that emerged from the data, providing a nuanced understanding of the legal, practical, and psychological aspects of journalist safety in hazardous environments.

The theme of Legal Frameworks highlighted three key categories: International Laws, National Legislation, and Enforcement Mechanisms. International Laws were discussed with concepts such as the Geneva Conventions and UN resolutions, emphasizing the need for global standards that are specifically tailored to protect journalists. National Legislation varied significantly by country but generally included concepts like media laws and press freedom statutes, which are intended to safeguard journalists but often fall short in practice. Enforcement Mechanisms focused on the practical application of these laws, with concepts including judicial processes and law enforcement agencies, which are crucial for actual protection but frequently lack effectiveness and support.

The Risks and Challenges theme was divided into five categories: Physical Risks, Digital Security Threats, Legal and Political Barriers, Psychological Impact, and Access to Information. Physical Risks included serious threats such as kidnapping and assault, highlighting the immediate dangers faced by journalists. Digital Security Threats were characterized by concepts like hacking and surveillance, reflecting the growing concern over online safety for journalists. Legal and Political Barriers involved censorship and arrests, underlining the

systemic obstacles that inhibit free reporting. Psychological Impact brought to light issues such as PTSD and stress, showcasing the mental health challenges that accompany reporting in high-stress environments. Access to Information covered problems related to restricted areas and government control, which significantly hinder the ability of journalists to gather and report news accurately.

Under Protective Strategies, four categories were discussed: Safety Training, Legal Safeguards, Support Networks, and Technology and Tools. Safety Training included concepts such as risk assessment and hostile environment awareness, essential for preparing journalists to face the challenges of conflict zones. Legal Safeguards focused on protective measures like press badges and legal counsel, which provide a degree of security and recourse. Support Networks highlighted the importance of peer support and NGO advocacy, which are vital for both physical and emotional support. Technology and Tools emphasized the use of encrypted communication and secure data storage, showcasing the technological adaptations necessary to protect journalists' information and communications in a digital age.

Our findings underscore a pervasive concern about the effectiveness and enforcement of international and national laws intended to protect journalists. Participants expressed skepticism about the practical application of these laws, echoing sentiments found in previous studies. For instance, Düsterhöft (2013) highlighted the gap between the existence of laws and their effective implementation in protecting journalists in armed conflicts (Düsterhöft, 2013). Similarly, participants in our study noted frequent discrepancies between what laws prescribe and what actually happens on the ground, supporting the notion that legal frameworks often fail to translate into practical safety measures (AlAshry, 2021).

Moreover, the study participants pointed out the need for stronger enforcement mechanisms, a concern that aligns with findings from Höglund and Schaffer (2021), who discussed the importance of legal mobilization in defending journalistic freedoms against state repression (Höglund & Schaffer, 2021). This suggests that while laws may exist, the infrastructure and political will to enforce these laws are often lacking, which is a significant barrier to the realization of legal protections.

Journalists consistently face a variety of risks, from physical threats to psychological impacts, which are exacerbated in conflict zones. The physical dangers, including kidnapping and assault, were emphasized as predominant fears, which is consistent with the 'political economy of risk' described by Creech (2017), where the physical presence of journalists in conflict zones inherently increases their vulnerability (Creech, 2017). The psychological effects are equally concerning, with our findings highlighting issues like PTSD and stress, corroborating the work by Feinstein and Starr (2015), who documented the psychological toll on journalists covering the Syrian civil war (Feinstein & Starr, 2015).

Our results also revealed significant digital security threats. The rise in digital threats corresponds with observations by Björkenfeldt (2023), who noted that legal protections against online harassment and digital threats are still in their infancy but growing in importance as journalism increasingly moves online (Björkenfeldt, 2023).

The effectiveness of safety training and the use of technology and tools for protection were frequently mentioned by our participants. These findings are in line with the recommendations by Høiby and Ottosen (2017), who argued for comprehensive safety training and support systems for journalists in high-risk areas (Høiby & Ottosen, 2017). Moreover, the importance of support networks was underscored, resonating with Høiby's (2019) study, which showed how local and non-local journalists rely differently on such networks (Høiby, 2019).

The use of encrypted communication and other technological tools for ensuring safety and protecting information was highlighted as a critical strategy. This reliance on technology for safety is a modern adaptation to the evolving threats journalists face, particularly in digital realms, and supports the findings by Björkenfeldt (2023), who emphasized the increasing need for legal protections in the online space (Björkenfeldt, 2023).

This study explored the legal strategies for protecting journalists in conflict zones through semi-structured interviews with 25 journalists from various global regions. The findings highlighted three main themes: Legal Frameworks, Risks and Challenges, and Protective Strategies. Under Legal Frameworks, participants expressed concerns about the enforcement of laws and noted significant gaps between legislation and practical

application. Risks and Challenges were extensively reported, with journalists facing both physical and psychological threats, alongside emerging digital vulnerabilities. For Protective Strategies, the importance of safety training, technological tools, and support networks was emphasized, suggesting these as vital components in safeguarding journalists.

The research underscored the critical need for robust legal frameworks and practical strategies to protect journalists working in high-risk environments. While international and national laws exist, their enforcement remains inconsistent, leaving journalists vulnerable to various threats. The study highlights the urgent necessity for comprehensive safety measures and stronger legal protections to ensure journalists can continue their work without fear of harm or coercion. Strengthening these aspects is crucial for the maintenance of press freedom and the promotion of informed, democratic societies.

This study's primary limitation lies in its qualitative nature and the sample size, which, while sufficient for theoretical saturation, may not capture the full spectrum of experiences and opinions of journalists worldwide. Furthermore, the focus on semi-structured interviews, although rich in detail, limits the ability to generalize findings across all conflict zones. Each region has unique challenges and legal contexts that might affect the applicability of the results more broadly.

Future research should consider expanding the geographical scope and incorporating quantitative methods to provide a broader, statistically generalizable understanding of the issues. Longitudinal studies could also track changes over time in legal protections and journalist safety. Additionally, exploring the impact of emerging technologies on journalistic practices and safety in conflict zones could yield important insights into new protective strategies.

The findings suggest several practical implications for media organizations and policymakers. First, there is a clear need for the establishment of more rigorous safety training programs tailored to specific regional threats. Media organizations should also invest in secure communication technologies to protect their staff. For policymakers, the study reinforces the necessity of strengthening and rigorously enforcing media protection laws. Collaborative efforts between governments, NGOs, and international bodies are essential to create a safer environment for journalists, which in turn, supports transparency and accountability in conflict-affected areas. These efforts not only protect individuals but also uphold democratic values and human rights.

Authors' Contributions

Authors contributed equally to this article.

Declaration

In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

Transparency Statement

Data are available for research purposes upon reasonable request to the corresponding author.

Acknowledgments

We would like to express our gratitude to all individuals helped us to do the project.

Declaration of Interest

The authors report no conflict of interest.

Funding

According to the authors, this article has no financial support.

Ethical Considerations

In this research, ethical standards including obtaining informed consent, ensuring privacy and confidentiality were observed.

References

AlAshry, M. S. (2021). New Constitution and Media Freedom in Libya: Journalists' Perspectives. *Journal of Information Communication and Ethics in Society*. https://doi.org/10.1108/jices-11-2020-0113

Ali, M. (2022). Impact of Hierarchy of Influence Model on Reporting From the Conflict Zone: An Assessment of the Journalists' Perceptions. *Global Economics Review*. https://doi.org/10.31703/ger.2022(vii-i).10

Björkenfeldt, O. (2023). Swedish Journalists' Perceptions of Legal Protection Against Unlawful Online Harassment. *Frontiers in Sociology*. https://doi.org/10.3389/fsoc.2023.1154495

Creech, B. (2017). Bearing the Cost to Witness: The Political Economy of Risk in Contemporary Conflict and War

Reporting. *Media Culture & Society*. https://doi.org/10.1177/0163443717715078

Düsterhöft, I. K. (2013). The Protection of Journalists in Armed Conflicts: How Can They Be Better Safeguarded? *Utrecht Journal of International and European Law*. https://doi.org/10.5334/ujiel.bk

Feinstein, A., & Starr, S. Z. (2015). Civil War in Syria: The Psychological Effects on Journalists. *Journal of Aggression Conflict and Peace Research*. https://doi.org/10.1108/jacpr-04-2014-0119

Harrison, J., & Pukallus, S. (2018). The Politics of Impunity: A Study of Journalists' Experiential Accounts of Impunity in Bulgaria, Democratic Republic of Congo, India, Mexico and Pakistan. *Journalism*. https://doi.org/10.1177/1464884918778248

Höglund, C.-M., & Schaffer, J. K. (2021). Defending Journalism Against State Repression: Legal Mobilization for Media Freedom in Uganda. *Journalism Studies*. https://doi.org/10.1080/1461670x.2021.1882879

Høiby, M. (2019). Covering Mindanao: The Safety of Local vs. Non-Local Journalists in the Field. *Journalism Practice*. https://doi.org/10.1080/17512786.2019.1598884

Høiby, M., & Ottosen, R. (2017). Journalism Under Pressure in Conflict Zones: A Study of Journalists and Editors in Seven Countries. *Media War & Conflict*. https://doi.org/10.1177/1750635217728092